

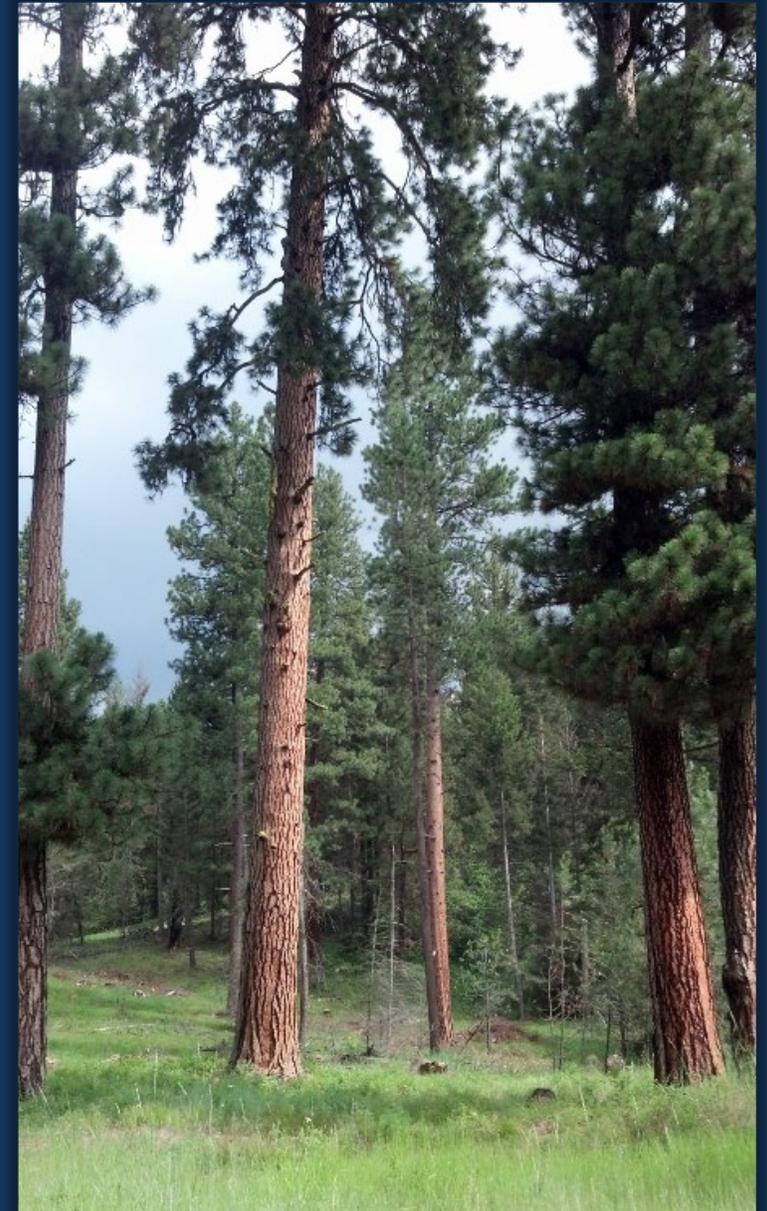


# Statutory Changes

Trust Land Transfer Phase 2

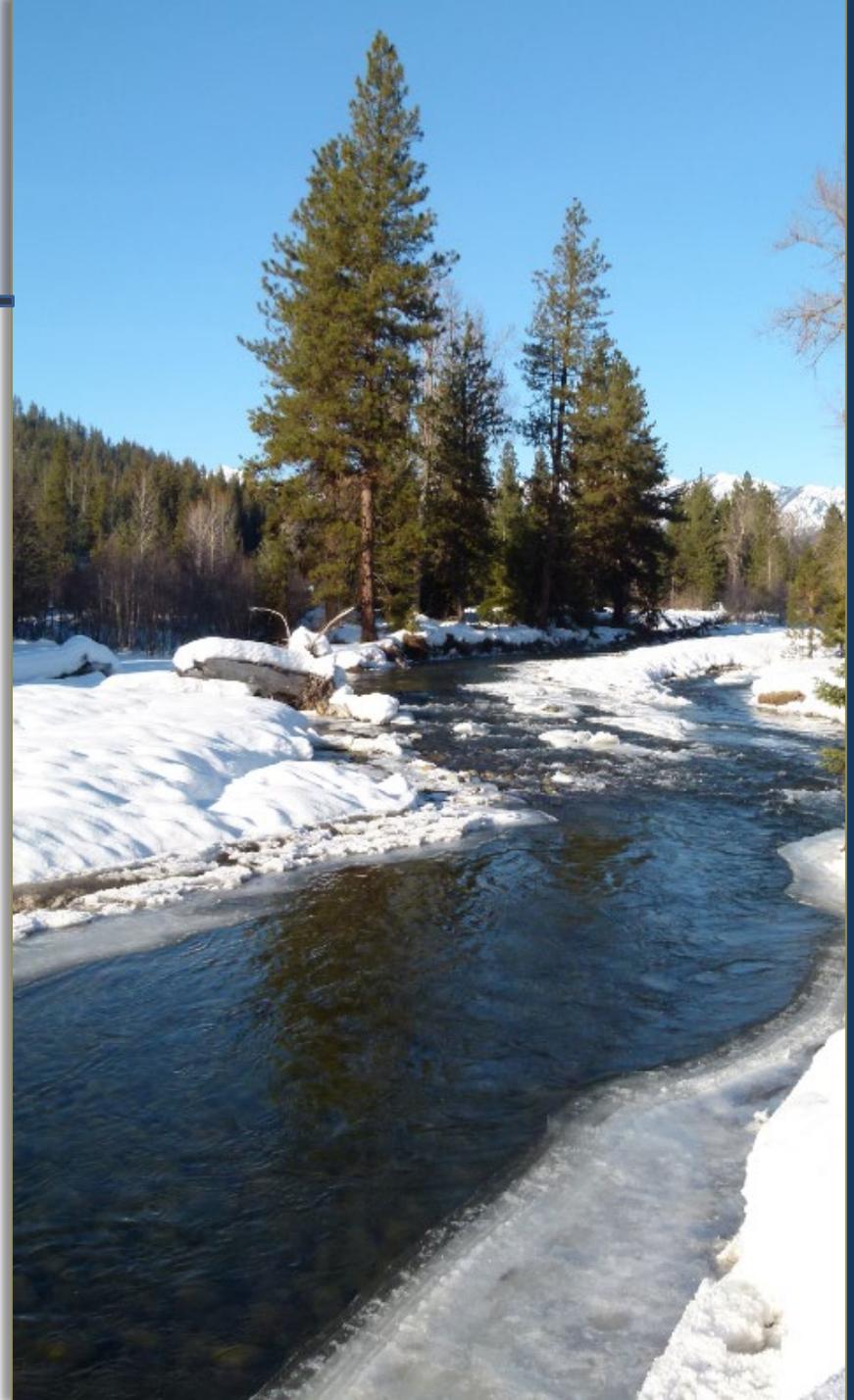
Work Group Meeting 5.1

May 27, 2022



# Agenda

- Review of new TLT tool
- Summary of changes
- Draft language ideas
- Discussion and questions



# How the NEW TLT tool works

Review from Meeting 5.0



## Legislative Funds:

- Provide funds for replacement trust properties
- Acquire special properties for public benefit

Property ownership is transferred to:

- DNR (NAP/NRCA)
- WDFW
- Parks
- Counties/Cities
- Tribes



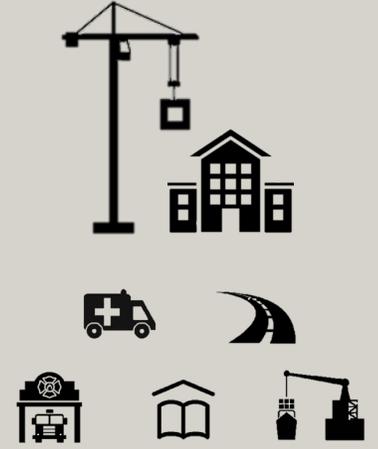
### Land Bank Account:

Funds in excess go towards buying replacement lands and allow for other lands to be transacted to benefit the trusts



### Real Property Replacement Account:

Bare-land value and 'average improvement value' go towards buying replacement lands



Money generated from replacement lands go to school construction and local services

# Summary of changes



- RCW 79.19 - **Creation of the Land Bank Account in the Treasury** to be used as a source of capital for investment in replacement lands required by the Land Bank process.
- RCW 79.19 – **Describe the intent of the Trust Land Transfer tool** in statute to **allow any trust, land type, size, and value and secure the entire legislative appropriation for purchasing replacement lands**. Also authorize and/or direct the Board of Natural Resources to develop appropriate policy/rules for implementation of the process and allocating the legislative appropriation between the Real Property Replacement Account and the Land Bank Account.
- RCW 79.22.060 – Expand the ability to transfer, exchange, or dispose of State Forestlands.
- RCW 79.19 or 79.22 – Allow or clarify the ability to use Land Bank for State Forestlands.
- RCW 79.19.020 – Remove the 1,500 acre limit on the Land Bank to provide functional operational capacity.

A tall evergreen tree is positioned on the left side of the frame, reaching towards the top. The background is a bright blue sky filled with soft, white, wispy clouds. A semi-transparent light blue rectangular box is centered horizontally across the middle of the image, containing the text.

# Draft Language Ideas



# Chapter 79.19 RCW – Land Bank

(idea for language)

## **79.19.XXX – Land Bank Account**

The Land Bank Account is created in the state treasury. This account shall consist of funds transferred or paid for the disposal of real property by the department under RCW 79.19 (Land Bank and/or Trust Land Transfer). The funds shall be used for the acquisition of replacement real property. **NEW**



## ACQUISITION, MANAGEMENT, AND DISPOSITION OF STATE FORESTLANDS

### 79.22.060 – Transfer, disposal of lands without public auction-Requirements

- 1) With the approval of the board, the department may directly transfer or dispose of state forestlands without public auction, if the lands:
  - (a) Consist of ten acres or less:
  - (b) Have a value of twenty-five thousand dollars or less; or
  - (c) Are located in a county with a population of twenty-five thousand or less and are encumbered with timber harvest deferrals, associated with wildlife species listed under the federal endangered species act, greater than thirty years in length; **or**
  - (d) That have low income-generating potential because of geographic or other factors that make it inefficient for the department to manage. **NEW**
- 2) Disposals under this section may only occur in the following circumstances:
  - (d) For the purposes of purchasing replacement lands with higher revenue potential. **NEW**

# RCW 79.19.XXX – Trust Land Transfer

NEW



Legislative Finding (ideas for language)

- The legislature finds that it may be desirable for the department to transfer state trust lands that have low income-generating potential because of geographic or other factors that make it inefficient for the department to manage and that have high ecological values and public benefits.
- It is also important to acquire state trust lands for long-term management to replace those transferred so that the state trust land base will not be depleted. The purpose of this chapter is to provide a means to facilitate Trust Land Transfers.
- All state lands and state forestlands regardless of size, value, type and use may be considered and funded for Trust Land Transfer under this section as authorized in 79.17.200 and 79.22.060.



# RCW 79.19.XXX – Trust Land Transfer

NEW

Legislative Finding continued (ideas for language)

- Every two years the department may submit a prioritized list of Trust Land Transfer proposals to the legislature for capital funding.
- Funding provided by the legislature for Trust Land Transfer projects shall be utilized by the department to purchase replacement lands.
- The Board of Natural Resources shall adopt appropriate rules and/or policy to guide the department in the implementation of Trust Land Transfers and for the allocation of funds to the various land replacement accounts.

Land Bank

## **RCW 79.19.010 – Legislative finding**

The legislature finds that from time to time it may be desirable for the department to sell state lands and state forestlands which have low potential for natural resource management or low income-generating potential or which, because of geographic location or other factors, are inefficient for the department to manage.

Land Bank

## **RCW 79.19.020–Land bank–Created–Purchase of property authorized**

The department, with the approval of the board, may purchase property at fair market value to be held in a land bank, which is hereby created within the department. Property so purchased shall be property which would be desirable for addition to the public lands of the state because of the potential for natural resource or income production of the property. ~~The total acreage held in the land bank shall not exceed one thousand five hundred acres.~~

# Other ideas to improve efficiency and transparency of the Transaction Program

- RCW 79.17.050 - Allow public hearing on land exchanges to be hosted online/virtually, allowing for broader participation by the public as well as when buildings are inaccessible to the public.
- RCW 79.11.120 - Allow land sales to be hosted online/virtually allowing for broader participation by the public as well as when buildings are inaccessible to the public.
- RCW 79.19 - Allow DNR to market and sell property similar to the private market using direct sales through the Land Bank at fair market value, including the sale of home sites to lessees and other residential properties and isolated parcels.



# Discussion and Questions?